

STATE OF INDIANA)	BEFORE THE INDIANA
) SS:	
COUNTY OF MARION)	COMMISSIONER OF INSURANCE
IN THE MATTER OF:)	
THE DISSOLUTION OF ICHIA)	

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND FOURTH NON-FINAL ORDER**

At a public hearing on August 12, 2013, Commissioner of Insurance Stephen W. Robertson (the “Commissioner”) heard and considered statements regarding the proposed dissolution of the Indiana Comprehensive Health Insurance Association (“ICHIA”). On October 31, 2013, the Commissioner issued a non-final order (the “First Non-Final Order”) requiring ICHIA to remain in operation through January 31, 2014. On January 17, 2014, the Commissioner issued a second non-final order (“Second Non-Final Order”), requiring ICHIA to continue operations through April 30, 2014 for certain participants. Most recently, on March 14, 2014, the Commissioner issued a third non-final order (“Third Non-Final Order”) extending ICHIA through December 31, 2014, to continue coverage for ICHIA participants living with end-stage renal disease (“ESRD”).

The Commissioner continues to monitor the ability of Hoosiers with ESRD to replace health coverage that is terminating. The Commissioner now issues the following Findings of Fact, Conclusions of Law, and Non-Final Order as follows:

FINDINGS OF FACT

1. The Findings of Fact from the First, Second, and Third Non-Final Orders are adopted and incorporated herein.

2. ICHIA submitted a third resubmission of its Plan of Dissolution (the “Third Dissolution Plan”) on March 24, 2014.

3. ICHIA’s operations have continued beyond April 30, 2014, to provide health coverage to Hoosiers living with ESRD.

4. Individuals with ESRD remain unable to enroll in a Medicare Advantage product in place of Medicare Parts A and B coverage. 42 USC § 1395w-21 (2013).

5. Medicare Supplement, also referred to as Medigap, insurance plans from private insurance companies, continue to be unavailable to individuals under the age of 65.

6. Medicare recipients in Indiana still have no other insurance options, and must pay twenty percent (20%) of the total costs to receive ESRD treatment.

7. The lack of alternative coverage that existed as of the date of the Third Non-Final Order continues.

8. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

9. The Commissioner of Insurance has the authority to approve or disapprove ICHIA’s plan of dissolution under Ind. Code § 27-8-10-0.5.

10. To allow the dissolution of ICHIA while there continues to be no coverage options available to ICHIA insureds with ESRD, other than Medicare which imposes a twenty percent (20%) copay, would be unfair, unreasonable, and inequitable.

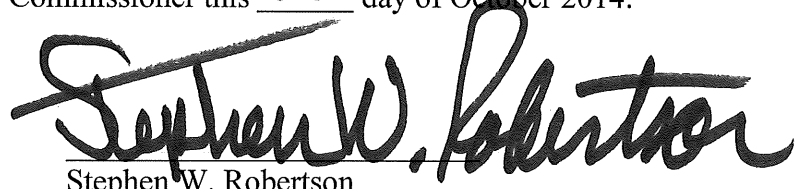
11. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

NON-FINAL ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Commissioner now states the following:

1. ICHIA's revised Plan is DISAPPROVED.
2. ICHIA shall remain in operation through December 31, 2015, to continue providing coverage to individuals with ESRD who currently receive coverage through ICHIA.
3. ICHIA shall, not later than December 1, 2014, submit a new Plan of Dissolution to the Commissioner which provides for the continuation of ICHIA's operations through at least December 31, 2015, as provided herein.
4. This Order shall be published on ICHIA's web site as soon as practicable following receipt by ICHIA and otherwise communicated, as appropriate, to ICHIA's insureds in a reasonable fashion.

ALL OF WHICH IS ORDERED by the Commissioner this 2nd day of October 2014.


Stephen W. Robertson
Commissioner of Insurance

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